

REMARKS

Claims 1-10, 12-36, 38-50, and 52-55 are presently pending, of which claims 1, 30, and 44 are independent. Claims 1, 3-10, 12-30, 32-34, 35, 36, 38-40, 44-50, and 52-55 have been amended. Applicants cancel claim 2. Applicants add new claims 56-59. Applicants believe that the claims are patentable and in condition for allowance as discussed below. Applicants respectfully request reconsideration of the outstanding rejections in view of the comments set forth below.

A number of cosmetic changes to the claims have been made. For instance, the claims have been amended to consistently use “the” rather than “said” to improve the readability of the claims.

Claims 1, 3-10 and 12-23 have been amended to be directed to a “computer readable storage medium” to place the claims in a better form. In addition, claim 1 has been amended to note that the instructions, when executed on a processor, manage a graphical interface.

Claims 30-36 and 38-43 have been amended to be directed to a “computing device-implemented method.”

Claims 44-50 and 52-55 have been amended to be directed to a “computing device.” Claim 44 has been amended to recite a storage and a processor.

Claims 1, 30, and 44 have further been amended to improve the readability of the claims.

Applicants add new claims 56-59. New claims 56-58 recite subject matter formerly found in claims 1, 30 and 44, respectively. New claim 59 recites subject matter currently found in claims 1, 30 and 44.

I. Claim Rejections under 35 U.S.C. §102(b)

Claims 1, 3-6, 25, 28, 30-33, 36, 42-47, and 50 have been rejected under 35 U.S.C. §102(b) as being anticipated by Published Patent Application 2003/0001896 to Johnson (hereafter “Johnson”). Applicants respectfully traverse the rejection.

A. Claim 1, 3-6, 25, 28

Applicants respectfully submit that Johnson fails to disclose at least *instructions for displaying the plurality of configurations simultaneously*, which is present in amended claim 1.

Johnson does not allow a *plurality of configurations* of the hardware object or the software object to be displayed simultaneously. (Johnson at [0014]). As noted by the Examiner, Johnson reads the run-time specification to configure the hardware and/or software devices. (Office Action at pages 3-4; Johnson at [0107]). Johnson does not display the configuration of the hardware or software object per se, but rather displays a form that allows a user to set up a measurement task. (*see*, e.g., Johnson at Figures 16-20). In setting up the measurement task, the user can only establish *one* configuration for a hardware or software object.

Accordingly, for at least the reasons presented above, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claim 1 under 35 U.S.C. § 102(b).

Claims 3-6, 25, and 28 depend from independent claim 1 and, as such, incorporate all of the features of claim 1. Accordingly, claims 3-6, 25, and 28 are allowable for at least the reasons set forth above with respect to claim 1. Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 3-6, 25, and 28 under 35 U.S.C. § 102(b).

B. Claims 30-33, 36, and 42-43

Applicants respectfully submit that Johnson does not disclose at least *the graphical interface being updated in response to a change in the hardware object or the software object*, which is present in amended claim 30. In Johnson, the graphical interface is not updated in response to a change in a hardware or software object. Instead, as noted above in relation to claim 1, a user enters parameters for a measurement task and then the program sets the device settings. (Johnson at Abstract; Johnson at [0107]).

Claims 31-33, 36, and 42-43 depend from independent claim 30 and, as such, incorporate all of the features of claim 30. Accordingly claims 31-33, 36, and 42-43 are allowable for at least the reasons set forth above with respect to claim 30. Applicants respectfully request the

Examiner to reconsider and withdraw the rejection of claims 30-33, 36, and 42-43 under 35 U.S.C. § 102(b).

C. Claims 44-47 and 50

Applicants respectfully submit that Johnson does not disclose at least *a display device to display the plurality of hardware objects and the plurality of software objects and at least one configuration of one of the hardware objects or one of the software objects to a user in a single graphical interface*, which is present in amended claim 44.

In Johnson, a plurality of hardware and software objects, and a configuration of an object, are not displayed in a single graphical interface. When Johnson displays a list view of available hardware objects, Johnson displays the list only to allow the user to select a single object and *then* configure it. (Johnson at [0016]). Johnson does not allow a plurality of the hardware and software objects, and a configuration of an object, to be displayed in a single graphical interface. In contrast, claim 44 recites *a display device to display the plurality of hardware objects and the plurality of software objects and at least one configuration of one of the hardware objects or one of the software objects to a user in a single graphical interface*.

Claims 45-47 and 50 depend from independent claim 44 and, as such, incorporate all of the features of claim 44. Accordingly claims 45-47 and 50 are allowable for at least the reasons set forth above with respect to claim 44. Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 44-47 and 50 under 35 U.S.C. § 102(b).

II. Claim Rejections under 35 U.S.C. §103(a)

Claims 7-10, 12-24, 26-27, 29, 34-35, 38-43, 48-49, and 52-55 have been rejected under 35 U.S.C. §103(a). Applicants respectfully traverse the rejections.

A. Claims 7, 8, 12-14, 34, 35, 38, 48, 49 and 52

Claims 7, 8, 12-14, 34, 35, 38, 48, 49 and 52 have been rejected under 35 U.S.C. §103(a) as being obvious under Johnson in view of U.S. Patent Application No. 2003/0035008 to Fuller et al. (hereafter “Fuller”). Applicants respectfully traverse the rejection.

Claims 7, 8 and 12-14 depend from claim 1 and, as such, include each and every feature of claim 1. Johnson does not disclose or suggest *instructions for displaying the plurality of configurations simultaneously*, which is present in claim 1.

Fuller also does not disclose or suggest this feature. Fuller discusses a system and method for querying message-based instruments, automatically and/or graphically parsing the responses, and generating code that encapsulates the connection/communication with the instrument and the parsing of the response, [0019]. Fuller does not provide *instructions for displaying the plurality of configurations simultaneously*, but rather allows the user to enter only one configuration at a time. For example, Fuller at [0024] describes how “code may also be generated to call and execute the saved configuration.” Thus, Fuller allows only a single configuration of a hardware or software object to be generated.

Fuller and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 1. Therefore, Fuller and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 7, 8 and 12-14.

Claims 34, 35 and 38 depend from claim 30 and, as such, include each and every feature of claim 30. Johnson does not disclose or suggest *the graphical interface being updated in response to a change in the hardware object or the software object*, which is present in claim 30.

Fuller also does not disclose or suggest this feature. As in Johnson, Fuller describes a system in which a user enters a change to be applied to the hardware object or the software object at the interface, and then the hardware object or the software object is updated in response. (Fuller at [0021]). This is not the same as *the graphical interface being updated in response to a change in a hardware or software object*.

Thus Fuller and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 30. Therefore, Fuller and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 34, 35 and 38.

Claims 48, 49 and 52 depend from claim 44 and, as such, include each and every feature of claim 44. Johnson does not disclose or suggest *a display device to display the plurality of hardware objects and the plurality of software objects and at least one configuration of one of the hardware objects or one of the software objects to a user in a single graphical interface*, which is present in claim 44.

Fuller also does not disclose or suggest this feature. Fuller, like Johnson, may display a list view of available devices, but does not display *the plurality of hardware objects and the plurality of software objects and at least one configuration of one of the hardware objects or one of the software objects to a user in a single graphical interface*. (Fuller at [0020]; *see also* Fuller at Figures 3-8).

Thus Fuller and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 44. Therefore, Fuller and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 48, 49 and 52.

B. Claims 9 and 10

Claims 9 and 10 have been rejected under 35 U.S.C. §103(a) as being obvious under Johnson in view of U.S. Patent Application No. 2003/0001896 to Hsiung et al. (hereafter “Hsiung”). Applicants respectfully traverse the rejection.

Claims 9 and 10 depend from claim 1 and, as such, include each and every feature of claim 1. Johnson does not disclose or suggest *instructions for displaying the plurality of configurations simultaneously*, which is present in claim 1.

Hsiung also does not disclose or suggest this feature. Hsiung discusses a technique for processing information or data over a network of computers. Hsiung further discusses a system for monitoring and controlling a process, or both monitoring and controlling a process, [0007]. The system illustrated in Hsiung includes an input module for receiving a plurality of parameters from a process for manufacture of a substance or object. Hsiung does not discuss configuring a

hardware object or a software object, and therefore Hsiung does not discuss *instructions for displaying the plurality of configurations simultaneously*.

Thus Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 1. Therefore, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 9 and 10.

C. Claim 15

Claim 15 has been rejected under 35 U.S.C. §103(a) as being obvious under Johnson in view of Fuller and Hsiung. Applicants respectfully traverse the rejection.

Claim 15 depends from claim 1 and, as such, includes each and every feature of claim 1. Johnson does not disclose or suggest *instructions for displaying the plurality of configurations simultaneously*, which is present in claim 1.

As discussed above in II.A and II. B., Fuller and Hsiung each do not disclose or suggest this feature. Thus Fuller, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 1. Therefore, Fuller, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 15.

D. Claims 16-17, 27, 39, 40, 43, 53 and 54

Claims 16-17, 27, 39, 40, 43, 53 and 54 have been rejected under 35 U.S.C. §103(a) as being obvious under Johnson in view of U.S. Patent Application No. 2003/0004670 to Schmit et al. (hereafter “Schmit”). Applicants respectfully traverse the rejection.

Schmit discusses one or more measurement devices comprising a measurement hardware device, a virtual measurement device or other type of device. (Schmit at [0013]). Schmit further indicates that a graphical user interface presents a list of available **devices** and corresponding channels appropriate for the indicated measurement type, where each of the channels corresponds to a terminal of a corresponding device. (Schmit at [0016]). Schmit further

indicates that if the selected measurement type were voltage, the devices listed may be those devices available to the system which are suitable for measuring a voltage. (Schmit at [0136]).

Claims 16, 17 and 27 depend from claim 1 and, as such, include each and every feature of claim 1. Johnson does not disclose or suggest *instructions for displaying the plurality of configurations simultaneously*, which is present in claim 1.

Schmit also does not disclose or suggest this feature. Schmit *sets* the configuration parameters of a device, but does not allow for *a plurality of* configurations of a hardware object or a software object. (Schmit at [0013]).

Thus Schmit and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 1. Therefore, Schmit and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 16, 17 and 27.

Claims 39, 40 and 43 depend from claim 30 and, as such, include each and every feature of claim 30. Johnson does not disclose or suggest *the graphical interface being updated in response to a change in the hardware object or the software object*, which is present in claim 30.

Schmit also does not disclose or suggest this feature. As in Johnson and Fuller, Schmit describes a system in which a user enters a change to be applied to the hardware object or the software object at the interface, and then the hardware object or the software object is updated in response. (Fuller at [0013]). This is not the same as *the graphical interface being updated in response to a change in the hardware object or the software object*.

Thus Schmit and Johnson, alone or in any reasonable combination, do not disclose or suggest or suggest each and every feature of claim 30. Therefore, Schmit and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 39, 40 and 43.

Claims 53 and 54 depend from claim 44 and, as such, include each and every feature of claim 44. Johnson does not disclose or suggest *a display device to display the plurality of*

hardware objects and the plurality of software objects and at least one configuration of one of the hardware objects or one of the software objects to a user in a single graphical interface, which is present in claim 44.

Schmit also does not disclose or suggest this feature. Like Johnson and Fuller, Schmit is concerned with actually configuring the measurement devices based on user input, and not displaying the devices and their configurations. (Schmit at [0013]). As a result, Schmit does not *display the plurality of hardware objects and the plurality of software objects and at least one configuration of one of the hardware objects or one of the software objects to a user in a single graphical interface*

Thus Schmit and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 44. Therefore, Schmit and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 53 and 54.

E. Claims 18-24, 26, 41, 42 and 55

Claims 18-24, 26, 41, 42 and 55 have been rejected under 35 U.S.C. §103(a) as being obvious under Johnson in view of Hsiung, and U.S. Patent Application No. 2003/0056018 to Pike et al. (hereafter “Pike”).

Applicants respectfully submit that they are very familiar with Pike’s work, who is a joint inventor in the present application. In fact, Applicants’ attorneys were prosecuting the cited patent application in the United States Patent and Trademark Office and the application was issued as a patent on January 31, 2006. Pike discusses receiving a first creation command from a user interface and establishing a communication channel linking the command interpreter and the control instrument independent of the interface bus or interface hardware driver type. (Pike at [0004]). Pike indicates a GUI that displays information regarding the configuration of the various communication channels the user may establish in response to user commands. (Pike at [0036]).

Claims 18-24 and 26 depend from claim 1 and, as such, include each and every feature of claim 1. Johnson and Hsiung do not disclose or suggest *instructions for displaying the plurality of configurations simultaneously*, which is present in claim 1.

Pike does not disclose or suggest this feature. Pike discusses *the* configuration of a hardware object or a software object, and not a *plurality of configurations*. (Pike at [0036]).

Thus Pike, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 1. Therefore, Pike, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 18-24 and 26.

Claims 41 and 42 depend from claim 30 and, as such, include each and every feature of claim 30. Johnson and Hsiung do not disclose or suggest *the graphical interface being updated in response to a change in the hardware object or the software object*, which is present in claim 30.

Pike does not disclose or suggest this feature. Pike describes communicating with a device in order to configure it. (Pike at [0027]). Pike describes that the user enters configuration data and then communicates back and forth with the device in order to change the configuration of the device itself. Pike does not describe updating the graphical interface *in response to a change in the hardware object or the software object*, but rather updating the hardware object in response to a user command.

Thus Pike, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 30. Therefore, Pike, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claims 41 and 42.

Claim 55 depends from claim 44 and, as such, includes each and every feature of claim 44. Johnson and Hsiung do not disclose or suggest *a display device to display the plurality of hardware objects and the plurality of software objects and at least one configuration of one of*

the hardware objects or one of the software objects to a user in a single graphical interface, which is present in claim 44.

Pike does not disclose or suggest this feature. Pike is concerned with establish *a* configuration of *a* device quickly and simply. (Pike at [0027]). Pike may list available devices (Pike at [0022]), but does not simultaneously show a configuration for any of those devices. Therefore, Pike does not display *the plurality of hardware objects and the plurality of software objects and at least one configuration of one of the hardware objects or one of the software objects to a user in a single graphical interface.*

Thus Pike, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 44. Therefore, Pike, Hsiung and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 55.

F. Claim 29

Claim 29 has been rejected under 35 U.S.C. §103(a) as being obvious under Johnson in view of U.S. Patent No. 5,986,653 to Phathayakorn et al. (hereafter “Phathayakorn”). Claim 29 depends from claim 1 and, as such, includes each and every feature of claim 1. Johnson does not disclose or suggest *instructions for displaying the plurality of configurations simultaneously,* which is present in claim 1.

Phathayakorn discusses a method for signaling and acknowledging events associated with resource object organized in a foldable object tree displayed by a GUI. Phathayakorn further indicates that a foldable object tree allows a part of the tree to be folded into its parent object, (Col. 1, lines 55-60).

Phathayakorn also does not disclose or suggest this feature. Phathayakorn describes displaying data relating to signaling and acknowledging events associated with a resource object. (Phathayakorn at col. 1 lns. 55-60). Phathayakorn is concerned with the objects as they actually exist, not potential configurations that a user might want to select in the future. Therefore, Phathayakorn does not disclose *instructions for displaying the plurality of configurations simultaneously.*

Thus Phathayakorn and Johnson, alone or in any reasonable combination, do not disclose or suggest each and every feature of claim 1. Therefore, Fuller, Hsiung and Phathayakorn in any reasonable combination, do not disclose or suggest each and every feature of claim 29.

In light of the above remarks, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 7-10, 12-24, 26-27, 29, 34-35, 38-43, 48-49, and 52-55 under 35 U.S.C. §103(a).

CONCLUSION

In light of the above amendments and arguments, Applicants respectfully submit that all of the pending claims are in condition for allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. MWS-104. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: March 31, 2008

Respectfully submitted,

Electronic signature: /Kevin J. Canning/
Kevin J. Canning
Registration No.: 35,470
LAHIVE & COCKFIELD, LLP
One Post Office Square
Boston, Massachusetts 02109-2127
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant

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